



U.S. Department of Justice

United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

September 17, 2021

VIA ECF

The Honorable John G. Koeltl
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St.
New York, NY 10007-1312

Re: *Rosner v. United States*, 16 Civ. 7256 (JGK) (JLC)

Dear Judge Koeltl:

This Office represents the United States of America in the above-referenced action. On behalf of the parties, we write concerning a protocol for any motion to seal filed by Plaintiff in connection with information or records marked confidential under the protective orders in this action. Specifically, the Government has informed Plaintiff that it may cite information in its summary judgment papers that, during discovery, was designated as confidential under the protective orders in this case. Plaintiff has advised the Government that he may ask the Court to seal that information and/or documents.

In order to streamline these confidentiality issues for the Court, and to provide sufficient time for Plaintiff to review any specific information cited in the Government's relevant submissions, the parties respectfully request that the Government be permitted to file material designated as confidential under a protective order provisionally under seal in connection with the upcoming summary judgment motion practice. Plaintiff requests a deadline of January 17, 2022, to file a motion to seal or to inform the Court that he does not object to the unsealing of any materials filed provisionally under seal by the Government. The Government consents to that requested deadline.

The Government is, of course, mindful of the principles governing the public's right to access to evidence submitted in connection with summary judgment motions, and may contest a motion to seal documents from public view.

APPLICATION GRANTED
SO ORDERED

John G. Koeltl, U.S.D.J.

9/17/21

We thank the Court for its consideration of this request.

ILAN T. GRAFF
Attorney for the United States,
Acting Under Authority Conferred by
28 U.S.C. § 515

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cc: *Pro se* Plaintiff (via U.S. mail and email)